IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.2298 OF 2005

Siddhartha Srivastava ...Applicant

Versus

The State of Maharashtra & Anr. ...Respondents

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Mr.Subhash Jha i/b Law Global for Applicant.

Mr.K.V.Saste, A.P.P. for Respondent No.1.

Mr.P.D.Desai for Respondent No.2.

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CORAM: A.M.KHANWILKAR, J.

APRIL 6, 2005.

P.C.

1. Heard Counsel for the parties.

2. Two modifications are sought by this Application. The first is that the Applicant be granted further eight weeks' time to deposit sum of Rs.1,75,000/- (Rupees One Lakh Seventy-five Thousand) as directed by this Court under order dated 7th March 2005. Private Respondent has no

objection if such indulgence is shown.

3. Accordingly, for the reasons mentioned in the Application, eight weeks' further time to deposit Rs.1,75,000/- (Rupees One Lakh Seventy-five Thousand) in this Court is granted to the Applicant. That period will commence from today. It is also made clear that no further extension will be granted for any reason whatsoever.

4. The second modification sought, is in relation to the liberty granted to the Respondent Complainant to withdraw the amount as well as the amount of fine already deposited by the Applicant in Court. The apprehension is that if the amount is allowed to be withdrawn and at a latter point of time, if the parties are unable to arrive at some amicable solution, the private Respondent/Complainant will be required to redeposit the amount in this Court and there is no such direction in the order passed on 7th March 2005.

5. This position can be taken care of by

requiring the private Respodnent/Complainant to file undertaking before this Court that the amount so withdrawn by them will be brought back before this Court as and when required, in terms of the order to be passed by the appropriate Court in that behalf. Such undertaking be filed before the amount is withdrawn by the Private Respondent.

6. Application is allowed on the above terms. Ordered accordingly.

A.M.KHANWILKAR, J.